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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/579,839

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EXAMINER

ARBES, CARL J

ART UNIT

PAPER NUMBER

3729

MAIL DATE

DELIVERY MODE

12/16/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/579,839	<b>Applicant(s)</b> HARMSEN, WILHELMUS HENDRIKUS JOHANNES	
	<b>Examiner</b> C. J. Arbes	<b>Art Unit</b> 3729	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 16-30 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>herein</u> . | 6) <input type="checkbox"/> Other: _____  |

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The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 16-30 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claims contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. To the extent that Applicants fail to specifically disclose ...at least 2 engaging elements which co-act for engaging on a carrier, which engaging elements, depending on the dimensioning of the carrier for engaging can be positioned in a relative manner in adjustable manner... (Cf. Claim 1) it is held that that one reading the specification (which the Examiner has done a number of times) cannot understand what Applicant is attempting to achieve or what method Applicant is attempting to perform. Perhaps via more Figures and examples Applicant can indicate how this method is achieved.

Claims 16-30 are further rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

To the extent that the language ... comprising at least 2 engaging elements which co-act for engaging on a carrier..., ... can be positioned in a relative orientation in adjustable manner ,... , ... wherein the engaging elements are provided with at least one reference position for co-action with a reference means defining the relative

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orientation... in claim 16, it is held that the claims are unclear, vague and indefinite. Furthermore there is nothing in said claim 16 which interrelates the structural means or elements together so as to provide a workable or functionable apparatus. What other elements do Applicants recites other than 2 engaging elements that make up the apparatus? Applicants are required to carefully describe the page/s and line/s wherein this language has a foundation. The metes and bounds of this alleged invention are not well defined . As further applied to claim 17 applicants do not specify with enough detail how the recited securing means is associated with the engaging elements? The Examiner is at a loss to understand Applicants' claimed invention . As applied to claim 18 applicants do not sufficiently interrelate the recited interchangeable processing element or the integrated reference means to the recited at least 2 engaging elements. It is though Applicants are claiming a kit of unrelated parts. There appears to be no association among the recited parts. Substantially the same remarks apply to claim 19. That is how is the frame interrelated to any other recited part that applicant has recited.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 16-30, provided that the disclosure is enabling and further provided that the claims are not vague and indefinite are further rejected under 35 U.S.C. 103(a) as being unpatentable over Imlig et al. (Pat. No. 5,163,222); hereinafter Imlig et al.

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Imlig et al teaching speaks for itself. However in order to more fully explain how the Office is construing this teaching the following is offered. Imlig et al teach a method and apparatus for loading electronic components to a processing or bonding station. The apparatus includes a transfer mechanism, a processing or bonding station, an electromotive drive, a 1<sup>st</sup> and 2<sup>nd</sup> groups of electromagnetically, pneumatically or hydraulically operable clamping elements. The 1<sup>st</sup> group of clamping elements is movable relative to the 2<sup>nd</sup> group of clamping elements fixed to a main carrier of the transfer mechanism. In a 1<sup>st</sup> phase of the transfer and feed movement the electromotive drive is controlled by means of reference geometry data given in dependence upon a particular leadframe and in a 2<sup>nd</sup> phase of the feed movement by means of dynamic, opto-electronically measured reference data and pulses formed therefrom. Clamping elements 23, 24, 25, 26 and 27 are adjustable or displaceable together with carrier member 20 relative to fixed clamping elements 13 and 18 (Cf. Col. 4).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. J. Arbes whose telephone number is 571-272-4563. The examiner can normally be reached on M, T, R and F from 8 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, P. Vo, can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/C. J. Arbes/  
Primary Examiner, Art Unit 3729